

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

<b>MARIO PILIA-ORTEGA</b> , individually and	)	
on behalf of other employees similarly situated,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No. 14 C 8855
	)	
<b>SNC INVESTMENTS, LLC</b> d/b/a	)	
<b>XXXPRESS CLEANERS</b> , and	)	
<b>SAMEH NAWAR</b> , individually,	)	
	)	
Defendants.	)	

**MEMORANDUM ORDER**

Both defendants in this Fair Labor Standards Act ("FLSA") action<sup>1</sup> have filed a Fed. R. Civ. P. ("Rule") 12(e) Motion for a More Definite Statement, noticing it up for presentment at the time of the previously set December 29, 2014 initial status hearing date. Because of that deferred presentment date (the motion was filed a week ago, on December 12), the motion did not come to this Court's attention until it followed its regular practice of periodically printing out a list of motions pending in all cases on its calendar.

It is an understatement to say that this Court is not a fan of more-definite-statement motions, for it views Rule12(e) treatment as inappropriate where what the movant seeks to do is to replace the federal notice-pleading concept with an approach more akin to fact pleading of the type that prevails (for example) in Illinois state court practice. Instead this Court finds the existing Complaint adequate to put defendants on notice of the claim against them -- and to the

---

<sup>1</sup> Name plaintiff Mario Pilia-Ortega also seeks to sue on behalf of other similarly situated employees under both the FLSA and the Illinois Minimum Wage Law.

extent that more particulars may be required for the fine tuning that the action will ultimately call for, normal discovery practices will be quite adequate to the task.

Accordingly the Rule 12(e) motion (Dkt. No. 6) is denied. In the interim this Court expects counsel for the parties to comply with its initial scheduling order (Dkt. No. 4), so as to permit an informative December 29 status hearing.

A handwritten signature in black ink, reading "Milton I. Shadur". The signature is written in a cursive, flowing style. To the right of the signature is a horizontal line.

Milton I. Shadur  
Senior United States District Judge

Date: December 19, 2014